

REMARKS

This amendment is being filed in response to the Office Action having a mailing date of September 20, 2005. Claims 1-4 are amended as shown. Claims 6-7 are canceled herein without prejudice. No new matter has been added. With this amendment, claims 1-5 are pending in the application.

In the Office Action, the Examiner rejected claims 1-3 and 6-7 under 35 U.S.C. § 102(e) as being anticipated by Horimai (U.S. Patent Publication No. 2003/0063342). Claims 1-3 and 6-7 were further provisionally rejected under obviousness-type double patenting as being unpatentable in view of claims 1-2 of copending U.S. Patent Application Serial No. 10/827,152. Claims 4-5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Horimai in view of Kono (JP 2001-291242). For the reasons set forth below, the applicant respectfully requests the Examiner to reconsider and to allow the pending claims.

Claim 1 has been amended to recite “projecting a signal beam and a reference beam emitted from a first light source and having a wavelength  $\lambda_0$ ” and “projecting a light beam for servo control emitted from a second light source and having a wavelength  $\lambda_1$ .” Support for this amendment can be found, for instance, on page 16, lines 9-20; page 24, lines 7-17; Figures 6-7 and the accompanying description; and elsewhere in the present application.

Horimai does not provide the recited signal beam and reference beam emitted from a first light source and having a wavelength  $\lambda_0$ , and further does not provide the recited light beam for servo control emitted from a second light source and having a wavelength  $\lambda_1$ . Therefore, because Horimai does not disclose, teach, or suggest these features, amended claim 1 is allowable over Horimai.

Claim 3 has been amended to recite “projecting a signal beam and a reference beam emitted from a first light source and having a wavelength  $\lambda_0$ ” and “projecting a light beam for servo control emitted from a second light source and having a wavelength  $\lambda_1$  onto the holographic recording medium so as to substantially focus onto the surface on which the optical modulation pattern is formed, thereby generating clock signals in synchronism with the optical modulation pattern.” Because these features are not disclosed, taught, or suggested by Horimai, amended claim 3 is allowable.

Claim 4 has been amended to recite “projecting a signal beam and a reference beam emitted from a first light source and having a wavelength  $\lambda_0$ ” and “projecting a light beam for servo control emitted from a second light source and having a wavelength  $\lambda_1$  onto the holographic recording medium so as to substantially focus onto the surface on which the optical modulation pattern is formed, thereby generating clock signals in synchronism with the optical modulation pattern.” Because these features are not disclosed, taught, or suggested by Horimai, amended claim 4 is clearly allowable over Horimai.

The Examiner has acknowledged on page 4 of the Office Action that Horimai does not provide the removal of noise components recited in claim 4, thereby making claim 4 further allowable over Horimai. To supply the missing teachings of Horimai, the Examiner has cited Kona.

However, Kona does not cure the deficiencies of Horimai. Kona does not disclose, teach, or suggest the new features that have been added to claim 4 pertaining to the first and second light sources and the wavelengths  $\lambda_0$  and  $\lambda_1$ . Accordingly, amended claim 4 is allowable over both Horimai and Kona, whether singly or in combination.

Dependent claim 5 recites that the “noise components are removed by recording a predetermined test pattern in the holographic recording medium as the phase information, reproducing the test pattern to obtain noise information and calculating a difference between the noise information and the reproduced image.” This feature is not disclosed, taught, or suggested by any of the cited references, whether singly or in combination.

For example, Horimai does not perform noise component removal. Further, Kono performs removal of noise components by merging a signal beam and a polarized beam perpendicular to the signal beam with a beam for canceling noise components, thereby forming a recording beam; interfering the recording beam with a reference beam, thereby recording data; and causing a reproduced beam to pass through a polarizing element, thereby reading data. Because of the distinctive differences between the recitations of claim 5 and the method of Kono, claim 5 is allowable.

Further amendments are made to claims 1, 3, and 4 to clarify that these claims and dependent claim 2 do not fall within the scope of 35 U.S.C. § 112, sixth paragraph. Additional

amendments are made to claims 1-4 to provide proper antecedent basis and/or to otherwise place these claims in better form.

With regards to the provisional double-patenting rejections of claims 1-3 and 6-7, it is believed that the amendments to claims 1-3 and the cancellation of claims 6-7 render the double-patenting rejections moot. Accordingly, the applicant kindly requests the Examiner to withdraw the provisional double-patenting rejections.

Overall, none of the references singly or in any motivated combination disclose, teach, or suggest what is recited in the independent claims. Thus, given the above amendments and accompanying remarks, the independent claims are now in condition for allowance. The dependent claims that depend directly or indirectly on these independent claims are likewise allowable based on at least the same reasons and based on the recitations contained in each dependent claim.

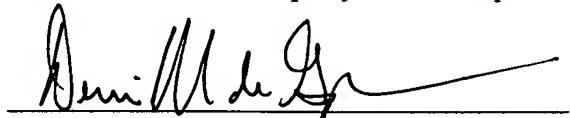
If the undersigned attorney has overlooked a teaching in any of the cited references that is relevant to the allowability of the claims, the Examiner is requested to specifically point out where such teaching may be found. Further, if there are any informalities or questions that can be addressed via telephone, the Examiner is encouraged to contact the undersigned attorney at (206) 622-4900.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

All of the claims remaining in the application are now clearly allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,

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